

STATEMENT OF FACTS

Your affiant, Sean Murphy, is a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the Maine Joint Terrorism Task Force (JTTF). In my duties as a Special Agent, I have gained training and experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, the exploitation of lawfully obtained evidence and data, and various other procedures. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

Facts Specific to Thomas BORDEAU Sr.

The FBI received a tip that THOMAS BORDEAU SR. (“BORDEAU”) was present at the U.S. Capitol, in reference to the riot that took place on January 6, 2021. As part of the FBI investigation into the attack on the United States Capitol, the FBI reviewed records obtained from Google, Inc., Meta, Inc., public video, and closed circuit video (“CCV”) footage depicting events at the U.S. Capitol Building and grounds on January 6, 2021. These records and video footage confirmed that BORDEAU participated in the attack on the U.S. Capitol as discussed below.

BORDEAU’S Activities at the U.S. Capitol on January 6, 2021

I reviewed video footage from the U.S. Capitol Building on January 6, 2021, which documents BORDEAU’s actions that day. BORDEAU (whose identity is described further below) is wearing a blue sweatshirt, dark khaki-type pants, a black balaclava-style hat, sunglasses on top of his head, gloves, and brown shoes. *Images 1 and 2*. BORDEAU entered the Upper West Terrace door at approximately 2:45 p.m. and appeared to be by himself. Within about 10 seconds of walking into the building, BORDEAU walked back toward the Upper West Terrace Door, and held it open for other rioters to enter, waving some of them in, for almost one minute.

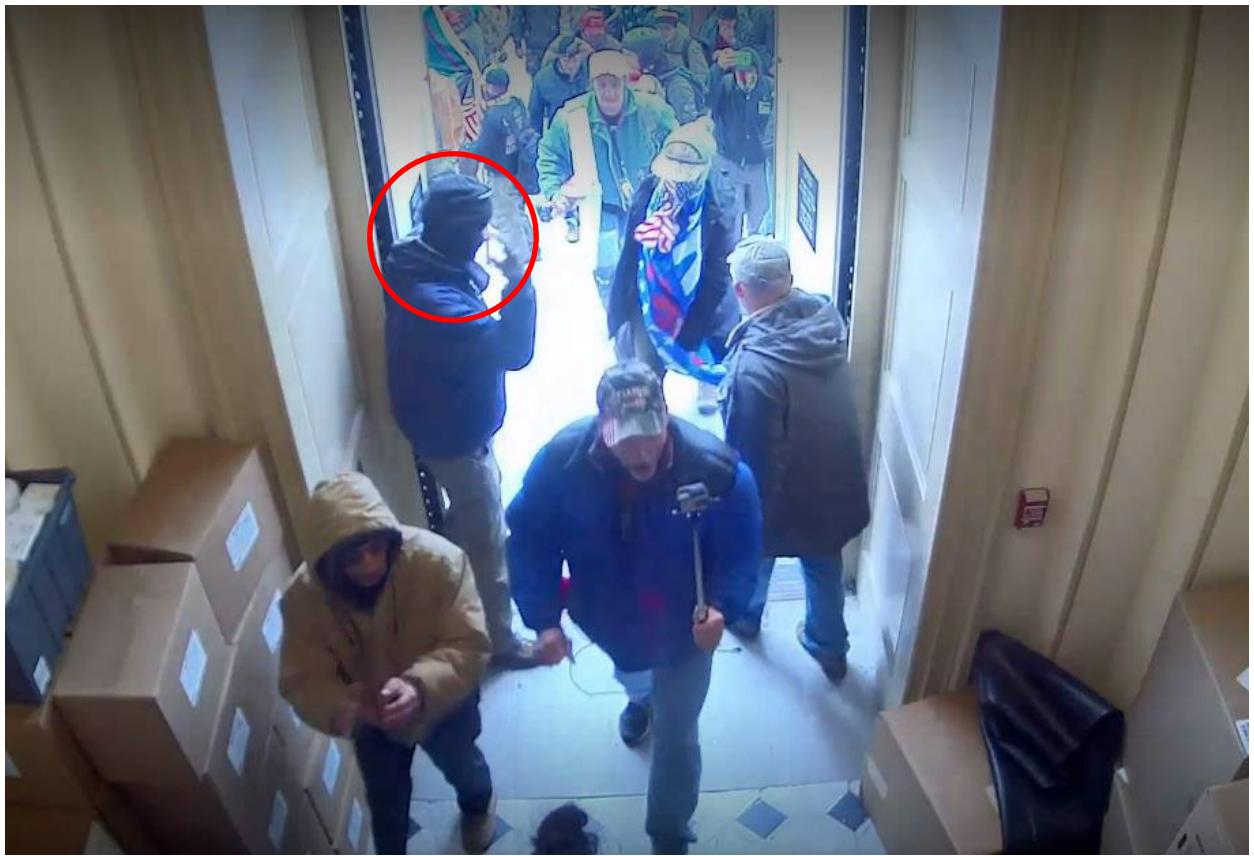


Image 1

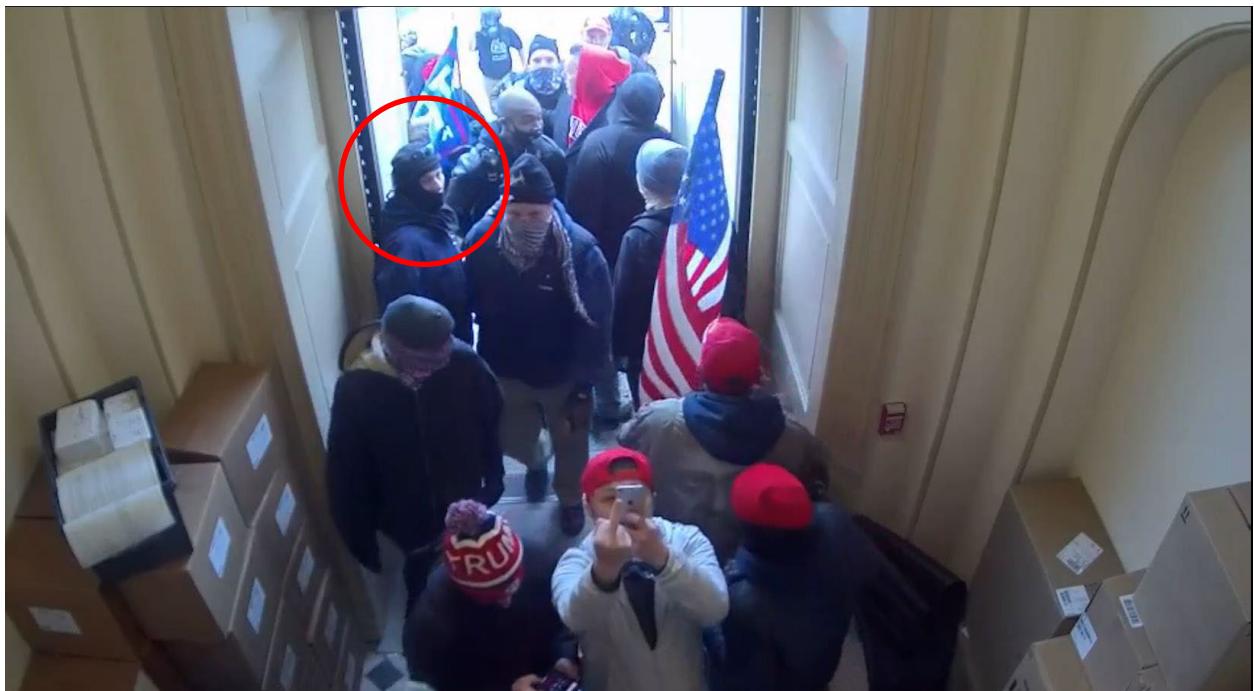


Image 2

BORDEAU then walked through the Rotunda at approximately 2:47 p.m. *Image 3.*



Image 3

BORDEAU exited the U.S. Capitol on the East side at approximately 2:52 p.m. *Image 4.*

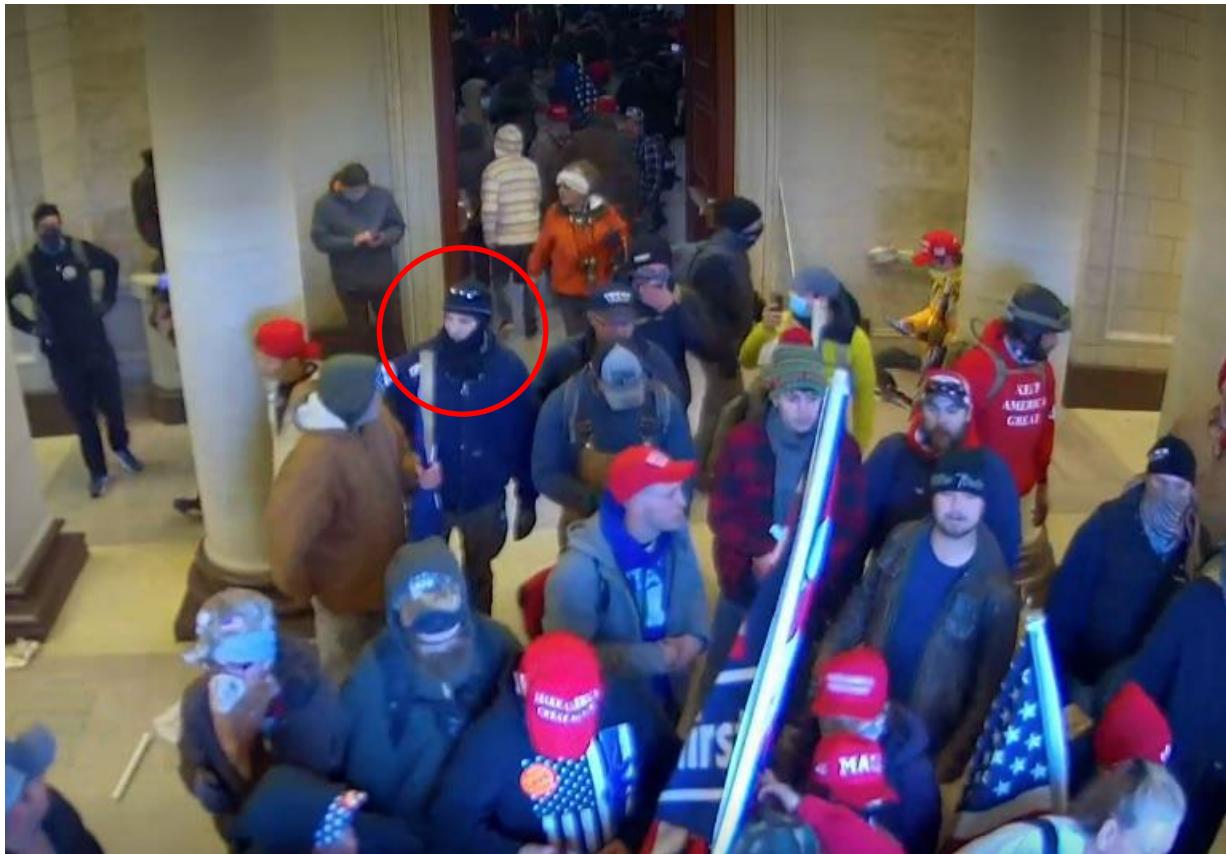


Image 4

Identification of Thomas BORDEAU

The FBI obtained records from Google, Inc. that showed that the cellular telephone number, XXX-XXX-6265, was found to be at the location of the U.S. Capitol Building in Washington, D.C. during the time period between 2:32 p.m. and 3:15 p.m. on January 6, 2021. The approximate geo-coordinates of the device associated with telephone number XXX-XXX-6265 showed that the device was likely physically inside the U.S. Capitol Building during this time. These Google records also showed that the phone number was associated with the email address t*****@gmail.com, which is a variation of BORDEAU's name.

The FBI obtained records from US Cellular which indicated that cellular telephone number, XXX-XXX-6265, was subscribed to BORDEAU, who possessed the same t*****@gmail.com email address used for the Google account described above, and a user address in Rumford, Maine. A query of Maine DMV records for BORDEAU identified an individual residing in Rumford with a similar address¹ as provided by US Cellular for BORDEAU.

On May 13, 2022, the FBI interviewed an individual who knows BORDEAU personally. The individual was shown Image 5 (which was taken at the U.S. Capitol on January 6, 2021) and stated that the man in the photo, facing the camera, was Thomas BORDEAU.



Image 5

¹ US Cellular Subscriber information and Maine DMV records show the same street, city, and Zip code, but the street numbers are two digits off from one another. Based upon my review of the location. The two addresses are two parts of the same two-family home. A review of documents from the Maine Registry of Deeds shows that BORDEAU owned both homes at one point. Bordeau has since moved to an address in Peru, Maine.

I received information from Facebook that indicates an account with the identifier, “thomas.bordeausr”, was registered with the name “Thomas Bordeau Sr,” and used by BORDEAU. According to Facebook records, the account was registered to an email address in BORDEAU’s name, and connected to the same phone number ending in 6265 described above and used by BORDEAU.

On January 6, 2021 at 3:18 p.m. EST, BORDEAU messaged his Facebook friend, “Just left the capital We were inside the dome Somebody broke the door down We got pepper sprayed I’m walking back from the capital now...”

On January 7, 2021, BORDEAU posted an upside-down American flag to his Facebook page, which I know from my experience to be a sign of distress that was used by rioters on January 6, 2021 to convey their outrage at the results of the 2020 election. *Image 6.*



Image 6

Based on the foregoing, your affiant submits that there is probable cause to believe that BORDEAU violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do so; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions. For purposes of Section 1752 of Title 18, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that BORDEAU violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



SPECIAL AGENT SEAN MURPHY
FEDERAL BUREAU OF
INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 15 day of October 2024.

MOXILA A. UPADHYAYA
U.S. MAGISTRATE JUDGE